CP 142 (2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

Single Bench

Contempt Petition No. 40 /2004

PETITIONER : Surendra Kumar Pandey. S/o. Shri S.S.Pandey, aged about 24 years R/o. Village Shankarghat, Tahsil-Ambikapur, Distt. Sarguja (C.G.)

VERSUS

RESPONDENTS

1. Shri P.C.Dalai Secretary, Department of Tribal Education, Govt. of Chhattisgarh, D.K.S.Bhavan, Raipur (C.G.)

2. Shri Mahipal Singh Dhruv Commissioner, Scheduled Caste Scheduled Tribe, O.B.C. & Minor Welfare Department, Raipur (C.G.)

3. Shri Manoj Kumar Pingwa, Collector, Sarguja (Ambikapur) Distt. Sarguja (C.G.)

4. Shri C.R.Miri, Block Education officer, Education Department, Ambikapur, Distt. Sarguja (C.G.)

P. R. No. 84 Stay Presented by Shri M.K. Singh dated 27.03.04

CONTEMPT PETITION UNDER ARTICLE 215 OF THE CONSTITUTION OF INDIA READ WITH SECTION 12 OF THE CONTEMPT OF COURTS ACT FOR INITIATING CONTEMPT PROCEEDINGS AGAINST THE RESPONDENTS /CONTEMNERS FOR NOT COMPLIANCE THE COURT ORDER DT. 28.4.2003 PASSED IN W.P. NO.1247/2002.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक Cont. pet. NO. 40/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	12/05/2004 Shri M.K. Sinha, learned counsel for the petitioner. Shri N.K. Agrawal, learned Dy. Advocate General, for the State. The application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the petitioner has filed a writ petition No.1247/2002 against the arbitrary and illegal action of the respondents in not deciding the representation filed by him. The said writ petition was disposed of on 28-04-2003 with a direction to the petitioner to make detailed representation to the Competent Authority within 15 days from the date of that order and on such representation being filed the competent authority shall decide the same by passing a reasoned order in accordance with law within two months from the date of production of representation. Learned counsel for the petitioner further submits that the representation along with copy of the order was made on 12-05-2003 before the Collector, Sarguja and other representations were made on 28/7/2003, 30/12/2003 and 12/02/2004, respectively. Learned counsel submits that inspite of the receipt of the representations, the Competent Authority has not taken any action and in any case the fate of the same has not been communicated to him. When the directions are issued by the Court, the authorities must comply with the same and if there is any difficulty it is open to them to seek	

[पीछे देखिये

(28)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक Cout.Pet.No.40/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

time or bring the difficulty to the notice of the Court, but nothing of this sort has been done.

Learned counsel for the petitioner to supply copy of the petition along with annexures to Shri N.K. Agrawal, Learned Dy. Advocate General who is present in the Court.

Having thus considered the facts and circumstances of the case and the material available on record, this Court is of the opinion that instead of proceeding ~~with the case~~ for Contempt at this stage, it is appropriate to give one more opportunity to the Competent Authority, and ask him to decide the same within a period of six weeks from the date of receipt of copy of this order. Ordered accordingly.

Learned Dy. Advocate General shall also forward a copy of this order to the concerned authority and also issue appropriate instructions in this regard. It is made clear that if this order is not complied with, the Competent Authority ~~will~~ may be held responsible not only for the earlier order but even for this order also and in that case he shall be dealt with in accordance with law.

With this observation, the petition is disposed of at this stage.

Certified copy as per rules.

Sd/-
Fakhruddin
Acting Chief Justice

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